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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,984	12/19/2000	Ho Joong Jeong	P-164	2684

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EXAMINER

ZEWDU, MELESS NMN

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 11/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/738,984

Applicant(s)

JEONG, HO JOONG

Examiner

Meless N Zewdu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 25 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 26-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 29 is/are allowed.
- 6) ☒ Claim(s) 1,2,5-8,10-13,15-18,20-22 and 26-28 is/are rejected.
- 7) ☒ Claim(s) 3,4,9,14,19,23 and 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on 6/25/04.
2. Claim 25 has been cancelled in this amendment.
3. New claims 26-29 have been added in this amendment.
4. Claims 1-24 and 26-29 are pending in this action.
5. The rejection of claim 25 provided under 35 U.S.C. 112, first paragraph, has been withdrawn since the claim is cancelled in the instant amendment.
6. This action is final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meche et al. (Meche) (US 5,600,708) in view of Hiramatsu (JP 03283726 A).

As per claim 10: a method for controlling phone-locking of a mobile communication terminal including the steps of;

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Receiving an order message reads on '708 (see col. 3, lines 16-22; col. 5, lines 20-45).

Reporting a lost terminal can be considered as an order since the end results of both the reporting and ordering are the same, which is having the lost terminal locked.

Checking whether the received order message is a message for phone-locking reads on '708 (see col. 5, lines 20-45).

Reading a password from a memory in case that the order message is a message for phone-locking, reads on '708 (see col. 3, lines 9-67; col. 5, lines 20-45; col. 6, lines 19-31). MT's executing internal UIM locking procedures includes reading a password from a memory.

Enabling a variable value for phone-locking reads on '708 (see col. 5, line 57-col. 9, line 9, line 42). List indicates variable value for phone-locking. But, Meche does not explicitly teach about a phone-lock state restricting users from making calls from the terminal, as claimed by applicant. However, in a related field of endeavor, Hiramatsu teaches about a telephone handset (automobile handset) provided with a lock state detection means detecting a dial lock signal caused by the operation of a handset and outputting a lock state signal to a facsimile equipment and an operation inhibit control means receiving an operation inhibit signal of the lock state signal and stopping the function of the facsimile equipment (see abstract). Although claim 10 recites a lost terminal and Hiramatsu's reference is related to a facsimile machine, both are wireless telephone systems and/or devices wherein an operator of a first device attempts to stop a remotely located second device from functioning. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of

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Meche with that of Hiramatsu for the advantage of preventing the use of a mobile communication terminal without permission, as taught by Hiramatsu (see purpose).

Claims 1, 2, 5-8, 10-13, 15-18, 20-22 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meche in views of Chesnutt (US 5,966,081) and Hiramatsu.

As per claim 1: a method for controlling phone-locking of a mobile communication terminal comprising the steps of:

Transmitting an order message for phone-locking reads on '708 (see col. 2, lines 1-22; col. 3, lines 16-22).

Setting a phone-locked state for the lost terminal according to the transmitted order message for phone-locking reads on '708 (see col. 5, lines 20-45; col. 6, lines 32-36).

But, Meche does not explicitly teach about receiving a phone-locked request signal from a user so as to lock a lost terminal, as claimed by applicant. However, in a related field of endeavor, Chesnutt teaches about a paging activated electronic security system, wherein an antitheft system is provided to render an electronic device inoperable via a paging network in response to the owner's request for such an action upon discovering that the electronic device was lost (see col. 2, line 27-col. 3, line 47). Although

Chesnutt's reference is focused onto laptop computers, it is taught that any electronic device controlled by a microprocessor can benefit from the system (see col. 2, lines 32-36). Since mobile phones are electronic devices controlled by a microprocessor, the two references are combinable. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Meche's reference

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with Chesnutt's teaching for the advantage of providing a low cost antitheft system that can render a stolen equipment inoperable (see col. 1, lines 38-42). But, Meche in view of Chesnutt, do not explicitly teach about a phone-locked state restricting users from making calls from a terminal, as claimed by applicant. However, in a related field of endeavor, Hiramatsu teaches about a telephone handset (automobile handset) provided with a lock state detection means detecting a dial lock signal caused by the operation of a handset and outputting a lock state signal to a facsimile equipment and an operation inhibit control means receiving an operation inhibit signal of the lock state signal and stopping the function of the facsimile equipment (see abstract). Although claim 1 recites a lost terminal and Hiramatsu's reference is related to a facsimile machine, both are dealing with wireless telephone devices/terminals wherein an operator of a first device attempts to stop a remotely located second device from functioning. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the above references with the teaching of Hiramatsu for the advantage of preventing the use of a mobile communication terminal without permission, as taught by Hiramatsu (see purpose).

As per claim 2: the method wherein the order message is transmitted from a mobile communication service provider through a base station to the lost terminal reads on '708 (see col. 2, lines 1-22; col. 5, lines 5-11).

As per claim 5: the method wherein setting a phone-locked state comprises:

Receiving an order message from a base station reads on '708 (see fig. 1, elements 50 and 10; col. 5, lines 5-11).

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Checking whether the received order message is a message for phone-locking reads on '081 (see col. 3, line 61-col. 4, line 3).

Reading a stored password, setting a phone-locked state and rebooting the terminal, in case that the received order message is a message for phone-locking reads on '081 (see col. 3, line 61-col. 4, line 4; col. 5, lines 20-30).

As per claim 6: the method wherein the terminal executes a corresponding order command in case that the received order message is a general order message reads on '708 (see col. 5, lines 20-45). It is obvious that if the or when the message is not a command to activate a phone -locking, it is a general service message.

As per claim 7: the method wherein the order message for phone-locking comprising: A message type field reads on '708 (see col. 9, lines 12-43).

An other protocol type field reads on '708 (see col. 7, lines 11-18).

An order specific field reads on '708 (see col. 9, lines 22-42). Each of the codes in the recited paragraph represents 'order specific field' associated with a message.

As per claim 8: the method wherein the terminal judges of the order message for phone-locking on the basis of the order specific field value of the order message, reads on '708 (see col. 9, lines 22-42).

As per claim 11: the method wherein the order message is transmitted from a mobile communication service provider through a base station to the lost terminal reads on '708 (see col. 2, lines 1-22; col. col. 5, lines 5-11).

As per claim 12: the method wherein the order message for phone-locking comprising: A message type field reads on '708 (see col. 9, lines 12-43).

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An other protocol type field reads on '708 (see col. 7, lines 11-18).

An order specific field reads on '708 (see col. 9, lines 22-42). Each of the codes in the recited paragraph represents 'order specific field' associated with a message.

As per claim 13: the method wherein the terminal judges of the order message for phone-locking on the basis of the order specific field value of the order message reads on '708 (see col. 8, lines 57-67; col. 9, lines 22-42).

As per claim 15: a method for controlling phone-locking of a mobile communication terminal comprising the steps of;

transmitting an order message to a phone-locking request reads on '708 (see 3, lines 16-22; col. 4, lines 10-20; col. 4, line 66-col. 5, line 1). The prior art advantageously teaches that a network can remotely enable and disable if a mobile station is reported stolen/and or by detecting misuse of the device and making follow up using three lists (see col. 4, lines 10-20).

Setting the state of the lost terminal as a phone-locked state according to the transmitted order message reads on '708 (see col. 3, lines 16-22, lines 49-52).

Receiving an order message reads on '708 (see col. 3, lines 16-22; col. 5, lines 20-45).

Checking whether the received message is a message for phone-locking reads on '708 (see col. 5, lines 20-45).

Reading a password from a memory in case that the order message is a message for phone-locking reads on '708 (see col. 3, lines 9-67; col. 5, lines 20-45; col. 6, lines 19-31). MT's executing internal UIM locking procedures includes reading a password from a memory.

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Enabling a variable value for phone –locking reads on '708 (see col. 5, line 57-col. 9, line 9, line 42). List indicates variable value for phone-locking. But, Meche does not explicitly teach about transmitting an order message to a lost terminal in response to a receiving a request signal from a user, as claimed by applicant. However, in a related field of endeavor, Chesnutt teaches about a paging activated electronic security system, wherein an antitheft system is provided to render an electronic device inoperable via a paging network in response to the owner's request for such an action upon discovering that the electronic device was lost (see col. 2, line 27-col. 3, line 47). Although Chesnutt's reference is focused onto laptop computers, it is taught that any electronic device controlled by a microprocessor can benefit from the system (see col. 2, lines 3236). Since mobile phones are electronic devices controlled by a microprocessor, the two references are combinable. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Meche's reference with Chesnutt's teaching for the advantage of providing a low cost antitheft system that can render a stolen equipment inoperable (see col. 1, lines 38-42). But, Meche in view of Chesnutt, do not explicitly teach about a phone-locking restricting users from making calls from a terminal, as claimed by applicant. However, in a related field of endeavor, Hiramatsu teaches about a telephone handset (automobile handset) provided with a lock state detection means detecting a dial lock signal caused by the operation of a handset and outputting a lock state signal to a facsimile equipment and an operation inhibit control means receiving an operation inhibit signal of the lock state signal and stopping the function of the facsimile equipment (see abstract). Although claim 1 recites

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a lost terminal and Hiramatsu's reference is related to a facsimile machine, both are dealing with wireless telephone devices/terminals wherein an operator of a first device attempts to stop a remotely located second device from functioning. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the above references with the teaching of Hiramatsu for the advantage of preventing the use of a mobile communication terminal without permission, as taught by Hiramatsu (see purpose).

As per claim 16: the method wherein the step of transmitting an order message comprising the steps of:

Transmitting an order message to a lost terminal reads on '708 (

Receiving a response signal to the order message from the lost terminal reads on '708 (

Transmitting an order message acknowledge signal to the lost terminal, when the response signal is received

As per claim 17: the features of claim 17 are similar to the features of claim 12. Hence, claim 17 is rejected on the same ground as claim 12.

As per claim 18: the method wherein the terminal recognizes the order message for phone-locking when the order specific field value of the order message is a predetermined value reads on '708 (see col. 9, lines 22-42).

As per claim 20: the method wherein the phone-locking state restricts persons other than the user from using the lost terminal reads on '708 (see col. 2, lines 1-9).

As per claim 21: the method wherein the phone-locking state allows reception of calls at the lost terminal reads on '081 (see col. 2, lines 27-61).

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As per claim 22; the method wherein the phone-locking state restricts persons other than the user from accessing user information reads on "708 (see col.2, lines 1-26).

As per claim 26: the method wherein the phone-locked state restricts users from making calls from terminal unless a password is used reads on '708 (see col. 2, lines 14-17).

As per claim 27: the method further comprising disabling the phone-lock based on a password reads on'708 (see col. 2, lines 14-17). According to the reference the MT does not accept unauthorized UMI and thereby does not function (see col. 1, lines 39-49). Hence, a non-function terminal is a disabled terminal, as far as unauthorized user is concerned.

As per claim 28: the method further comprising disabling the phone-lock based on a password reads on'708 (see col. 2, lines 14-17). According to the reference the MT does not accept unauthorized UMI and thereby does not function (see col. 1, lines 39-49). Hence, a non-function terminal is a disabled terminal, as far as unauthorized user is concerned.

Allowable Subject Matter

Claim 29 is allowed.

The following is an examiner's statement of reasons for allowance:

As per claim 29: the claim is directed communicating with a lost terminal so as to put it on a lock state. The prior art of record does not fairly teach or suggest receiving a response signal from a lost terminal in response to a transmitted order message for

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phone –locking and transmitting order message acknowledge signal to the lost terminal upon receiving the response, as claimed and applicant.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Claims 3, 4, 9, 14, 19, 23 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claims 1, 2, 5-8, 11-13, 15-18, 20-22 and 25 have been considered but are moot in view of the new ground(s) of rejection.

However, examiner maintains the previous rejection regarding claim 10 because the argument regarding claim 10 was not persuasive and the prior art reads on it fairly.

Argument and response regarding claim 10 follows.

Argument: with regarding to claim 10, applicant, without presenting a specific argument/s, says the subject matter of claim 10 is similar to the subject matter of claim 1 and hence, the argument presented regarding claim 1 should also apply to claim 10.

Response: examiner respectfully disagrees. In that the subject matters of claims 1 and 10 are different to the extent of warranting a response to each of them. In this case, the

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exchange of phone-lock message in claim 1 involves, a lost terminal while in claim 10, there was not lost terminal involved in the message exchange. Hence, the argument presented for claim 1 does not apply to claim 10.

Response to Arguments

Applicant's arguments with respect to claims 1, 2, 5-8, 10-13, 15-19, 20-22 and 24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

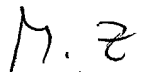
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Meless Zewdu



Examiner

22 November 2004.



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